

1505487-Trustee-A-Rich
CHRISTOPHER T. VONDERAU
4022 SHIPYARD BLVD. STE 101
ATTORNEY AT LAW
WILMINGTON, NC 28409

IN RE
DONALD RAY MAPSON
2214 OLEANDER DRIVE

WILMINGTON, NC 28403
SSN or Tax I.D. XXX-XX-0703

CHARLREAN BATTEN MAPSON
2214 OLEANDER DRIVE

WILMINGTON, NC 28403
SSN or Tax I.D. XXX-XX-6784

Richard M. Stearns
1015 Conference Dr.
Greenville, NC 27858

Chapter 13
Case Number: 15-05487-5-SWH

NOTICE OF MOTION FOR CONFIRMATION OF PLAN

Richard M. Stearns, Chapter 13 Trustee has filed papers with the Court to Confirm the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the Motion For Confirmation Of Plan, or if you want the court to consider your views on the motion, then on or before 01/18/2016, you or your attorney must file with the court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at:

U.S. Bankruptcy Court
PO Box 791
Raleigh, NC 27602

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to debtor(s), debtor(s) attorney and trustee at the following addresses:

Debtor(s):	Attorney:	Trustee:
DONALD RAY MAPSON	CHRISTOPHER T. VONDERAU	Richard M. Stearns
2214 OLEANDER DRIVE	4022 SHIPYARD BLVD. STE 101	1015 Conference Dr.
WILMINGTON, NC 28403	ATTORNEY AT LAW	Greenville, NC 27858
-----	WILMINGTON, NC 28409	
CHARLREAN BATTEN MAPSON		
2214 OLEANDER DRIVE		
WILMINGTON, NC 28403		

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: December 16, 2015

Richard M. Stearns
Chapter 13 Trustee
1015 Conference Dr.
Greenville, NC 27858

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILMINGTON DIVISION**

IN RE:

CASE NUMBER: 15-05487-5-SWH

DONALD RAY MAPSON

CHARLREAN BATTEN MAPSON

CHAPTER 13

DEBTOR(S)

**MINUTES OF 341 MEETING AND
MOTION FOR CONFIRMATION OF PLAN**

NOW COMES the Trustee in the above referenced Chapter 13 case moving the Court for an Order confirming the Plan in the case and, in support, of said Motion, says unto the Court:

1. That the debtor(s) appeared at the meeting of creditors, as required by 11 U.S.C. § 341 and submitted to an examination under oath by the Trustee on November 3, 2015, or has supplied answers to written interrogatories;
2. The debtor(s) has/have complied with all requirements of 11 U.S.C. §521 (a) (1) (B) and Interim Bankruptcy Rules 1007 and 4002 (b), as modified and adopted by this Court, and this case has not been dismissed, nor is it subject to dismissal, under 11 U.S.C. §521 (i);
3. That there are no pending objections to confirmation or other filings or pleadings that would impede the confirmation of the Plan in this case;
4. That the Trustee has reviewed the schedules and relative information in the debtor(s) petition and has made a determination of the disposable income for the debtor(s) in this case. The calculation of disposable income impacts on what, if any, dividend will be received by unsecured creditors. The debtor(s) plan provides for payments of:

\$2,285.00 PER MONTH FOR 2 MONTHS, THEN, \$3,363.00 PER MONTH FOR 58 MONTHS.
5. That the liens of creditors which will not be paid in full during the term of the Plan or which are to be paid directly by the debtor(s) are not affected by the confirmation of this Plan;
6. Generally, and subject to orders entered hereafter by the Court, any proof of claim that is not filed on or before February 1, 2016 ("Bar Date") shall be disallowed. Claims of governmental units, proofs of which are not filed before April 5, 2016 ("Government Bar Date") shall be disallowed;
7. That the claims of secured creditors shall be paid as secured to the extent of the claim or to the extent of the value of the collateral as set out below:
 - a. Claims to be paid directly by the Debtor:

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
#011 SANTANDER CONSUMER, USA	2013 CHRYSLER 200	TO BE PAID <i>DIRECT.</i>

b. Continuing Long Term Debts to be paid by the Trustee:

IF A PROOF OF CLAIM IS TIMELY FILED the claim is to be paid on a monthly basis according to the terms of the contract effective the first month after confirmation. Arrearages, if any, to be paid over the life of the plan. Two post-petition contractual payments shall be included in the arrearage claim. **The Debtor is to resume direct payments upon completion of plan payments. (SEE PARAGRAPH 8 BELOW)**

<u>Creditor</u>	<u>Collateral</u>
#802 DITECH FINANCIAL, LLC	MORTGAGE

c. Claims paid to extent of claims as filed (no cramdown):

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
NONE		

d. Claims paid to extent of value:

<u>Creditor</u>	<u>Collateral</u>	<u>Present Value</u>	<u>Repayment Rate/Term</u>
#012 IRS	2005-2014 TAXES	\$21,564.30 SECURED	TO BE PAID OVER THE TERM OF THE PLAN @ 5.25% INTEREST.

e. Claims to be avoided by the debtor:

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
NONE		

Pursuant to Local Rule 3070-1(b) some secured creditors may be entitled to pre-confirmation adequate protection payments.

8. **LONG TERM RESIDENTIAL MORTGAGE CLAIMS** shall be paid in a manner consistent with Local Rule 3070-2.
9. That the following creditors have filed secured proofs of claims but, due to the value placed on the collateral, the claims will be treated as unsecured and paid along with other unsecured claims. With respect to claims listed below for which the terms of repayment are listed as: "Abandon," upon entry of an Order confirming the plan, as modified by this Motion, the automatic stay of §362(a) and the automatic co-debtor

stay of §1301 shall thereupon be lifted and modified with respect to such property “for cause” under §362(a)(1), as allowed by Local Rule 4001-1(b):

NONE

Reference herein to “Direct” or “Outside” or similar language regarding the payment of a claim under this plan means that the debtor(s) or a third party will make the post-petition payments in accordance with the contractual documents which govern the rights and responsibilities of the parties of the transaction, including any contractual modifications thereof, beginning with the first payment that comes due following the order for relief;

10. That the treatment of claims indicated in paragraphs 7, 8 and 9 above, are based on information known to the Trustee at the time of the filing of this Motion. The treatment of some claims may differ from that indicated if subsequent timely filed claims require different treatment;
11. That the following executory contracts and unexpired leases shall be either assumed or rejected as indicated below:

<u>Creditor</u>	<u>Property Leased or Contracted For</u>	<u>Treatment</u>
#040 LEXUS FINANCIAL SERVICES	AUTO LEASE	REJECT.

12. That priority claims shall be paid in full over the term of the Plan;
13. That confirmation of this Plan will be without prejudice to pending Motions For Relief From the Automatic Stay and will be without prejudice to objections to claims and avoidance actions;
14. That confirmation of the Plan vests all property of the estate in the debtor(s);
15. That the attorney for the debtor(s) is requesting fees in the amount of \$3,700.00. The Trustee recommends to the Court a fee of \$3,700.00. If the recommended fee is different from that requested an explanation can be found in Exhibit ‘A’.
16. Other Provisions: NONE

RICHARD M. STEARNS

Standing Chapter 13 Trustee

EXHIBIT 'A'

DEBTORS: DONALD & CHARLREAN **CASE NUMBER:** 15-05487-5-SWH
MAPSON

EMPLOYMENT:

Debtor: MT. PLEASANT AME GROSS INCOME: \$5,024.67
ZION CHURCH &
PENSION

Spouse: ST. MARK AME ZION \$2,600.00
CHURCH

Prior Bankruptcy Yes ☒ No ☐ If so, Chapter filed 2013

cases:

Disposition:

Real Property: House and Lot ☒ Mobile home ☐ Lot/Land ☐ Mobile Home/Lot ☐

Description: RESIDENCE @ 2214 OLEANDER DRIVE / JOINT

FMV	\$220,500.00	Date Purchased	
Liens	\$203,270.00	Purchase Price	
Exemptions	\$17,230.00	Improvements	
Equity	\$ 0.00	Insured For	
Rent		Tax Value	\$220,500.00

Description

FMV		Date Purchased	
Liens		Purchase Price	
Exemption		Improvements	
Equity	\$ 0.00	Insured For	
Rent		Tax Value	

COMMENTS:

<u>Attorney</u>	Requested:	\$3,700.00	(excluding filing fee)
<u>Fees:</u>	Paid:	\$1,500.00	(excluding filing fee)
	Balance:	\$2,200.00	

Trustee's Recommendation: \$3,700.00

Comments:

Plan Information:

<u>Plan Information:</u>		<u>After 341</u>		<u>Payout % After 341</u>	
Total Debts	\$365,078.92	Pay in	\$199,624.00	Priority	100.00%
Priority	\$33,839.51	Less 8.00%	\$15,969.92	Secured	100.00%
Secured	\$147,585.33	Subtotal	\$183,654.08	Unsecured	0.00%
Unsecured	\$183,654.08	Req. Atty. Fee	\$2,200.00	Joint	0.00%
Joint Debts	\$0.00	Available	\$197,424.00	Co-Debts	0.00%
Co-Debtor	\$0.00				

Annual Review:	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Payroll Deduction:	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Objection to Confirmation:	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Pending:
Resolved:

Motions Filed: Yes ☐ No ☒

If so, indicate type and status:

Hearing Date:

CERTIFICATE OF MAILING

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TASK: 12-15-2015.00802715.LSA000	DATED: 12/16/2015		

Court Served Electronically

Trustee		Richard M. Stearns	1015 Conference Dr. Greenville, NC 27858
Debtor		DONALD RAY MAPSON	2214 OLEANDER DRIVE WILMINGTON, NC 28403
Joint		CHARLREAN BATTEN MAPSON	2214 OLEANDER DRIVE WILMINGTON, NC 28403
032	000032	NAVIENT SOLUTIONS PO BOX 9430	ATTN:BNKRPTCY LITIGATION UNIT E3149 WILKES-BARRE, PA 18773-9430
IRS	000005	INTERNAL REVENUE SERVICE CENTRALIZED INSOLVENCY	P.O. BOX 7317 PHILADELPHIA, PA 19101-7317
012	000041	INTERNAL REVENUE SERVICE	PO BOX 7346 PHILADELPHIA, PA 19101-7346
012	000012	INTERNAL REVENUE SERVICE	PO BOX 7346 PHILADELPHIA, PA 19101-7346
012	000042	INTERNAL REVENUE SERVICE	PO BOX 7346 PHILADELPHIA, PA 19101-7346
035	000035	BECKET & LEE PO BOX 3001	ATTORNEYS/AGENT FOR CREDITOR MALVERN, PA 19355-0701
ATYGEN	000003	The Honorable Loretta Lynch 950 Pennsylvania Ave. NW	U.S. Department of Justice Washington, DC 20530
024	000024	KROSS LIEBERMAN & STONE	991 AVIATION PKWY STE 300 MORRISVILLE, NC 27560-8564
USATTY	000007	US ATTORNEY 310 NEW BERN AVE, FEDERAL BLDG	ATTN: CIVIL PROCESS CLERK, STE 800 RALEIGH, NC 27601-1461
NCREV	000006	NC DEPT. OF REVENUE ATTN: ANGELA FOUNTAIN	PO BOX 1168 RALEIGH, NC 27602-1168
023	000023	KROSS/LIEBERMAN & STON	1110 NAVAHO DR, ,STE 501 RALEIGH, NC 27609
ESC	000004	EMPLOYMENT SECURITY COMMISSION CHAPTER 13 BANKRUPTCY	PO BOX 26504 RALEIGH, NC 27611
016	000016	CREDIT FINANCIAL SERVICES	3800 GUESS RD DURHAM, NC 27705-1506
015	000015	COASTAL ANESTHESIA ASSOC	PO BOX 63095 CHARLOTTE, NC 28263-3029
039	000039	WILMINGTON HEALTH ASSOCIATES	1202 MEDICAL CENTER DR WILMINGTON, NC 28401
034	000034	WILMINGTON SURGCARE	1801 SOUTH 17TH STREET WILMINGTON, NC 28401-6443
033	000033	SOUTHCARE OF NC	1506 MARKET STREET WILMINGTON, NC 28402
013	000013	NEW HANOVER COUNTY TAX DEPARTMENT	230 GOVERNMENT CENTER DRIVE #190 WILMINGTON, NC 28403-1671
017	000017	FINANCIAL DATA SYSTEMS CHAPTER 13 BANKRUPTCY	1638 MILITARY CUTOFF ROAD WILMINGTON, NC 28403-8463
018	000018	FINANCIAL DATA SYSTEMS CHAPTER 13 BANKRUPTCY	1638 MILITARY CUTOFF ROAD WILMINGTON, NC 28403-8463
020	000020	FINANCIAL DATA SYSTEMS CHAPTER 13 BANKRUPTCY	1638 MILITARY CUTOFF ROAD WILMINGTON, NC 28403-8463

CERTIFICATE OF MAILING

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TASK: 12-15-2015.00802715.LSA000 DATED: 12/16/2015

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021	000021	FINANCIAL DATA SYSTEMS CHAPTER 13 BANKRUPTCY	1638 MILITARY CUTOFF ROAD WILMINGTON, NC 28403-8463
014	000014	AZALEA COAST THERAPY, LLC	PO BOX 4271 WILMINGTON, NC 28406
799	000002	CHRISTOPHER T. VONDERAU ATTORNEY AT LAW	4022 SHIPYARD BLVD. STE 101 WILMINGTON, NC 28409
022	000022	FORTIVA	5 CONCOURSE PARKWAY SUITE 400 ATLANTA, GA 30328
038	000038	WEB.COM	12808 GRAN BAY PKWY WEST JACKSONVILLE, FL 32258
040	000040	LEXUS FINANCIAL SERVICES CHAPTER 13 BANKRUPTCY	PO BOX 8026 CEDAR RAPIDS, IA 52409
025	000025	LEXUS FINANCIAL SERVICES CHAPTER 13 BANKRUPTCY	PO BOX 8026 CEDAR RAPIDS, IA 52409
036	000036	US DEPARTMENT OF EDUCATION	PO BOX 7860 MADISON, WI 53707
037	000037	US DEPARTMENT OF EDUCATION	PO BOX 7860 MADISON, WI 53707
041	000043	US DEPT OF EDUCATION PO BOX 8973	CLAIMS FILING UNIT MADISON, WI 53708-8973
800	000008	DITECH FINANCIAL LLC	PO BOX 6154 RAPID CITY, SD 57709-6154
801	000009	DITECH FINANCIAL LLC	PO BOX 6154 RAPID CITY, SD 57709-6154
802	000010	DITECH FINANCIAL LLC	PO BOX 6154 RAPID CITY, SD 57709-6154
029	000029	OPTIMUM OUT	2651 WARRENVILLE RD DOWNERS GROVE, IL 60515
030	000030	OPTIMUM OUT	2651 WARRENVILLE RD DOWNERS GROVE, IL 60515
031	000031	OPTIMUM OUT	2651 WARRENVILLE RD DOWNERS GROVE, IL 60515
027	000027	OPTIMUM OUT	2651 WARRENVILLE RD DOWNERS GROVE, IL 60515
028	000028	OPTIMUM OUT	2651 WARRENVILLE RD DOWNERS GROVE, IL 60515
026	000026	OPTIMUM OUT	2651 WARRENVILLE RD DOWNERS GROVE, IL 60515
044	000044	SANTANDER CONSUMER USA	PO BOX 961245 FORT WORTH, TX 76161
011	000011	SANTANDER CONSUMER USA	PO BOX 961245 FORT WORTH, TX 76161

46 NOTICES

THE ABOVE REFERENCED NOTICE WAS MAILED TO EACH OF THE ABOVE ON 12/16/2015.
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.
EXECUTED ON 12/16/2015 BY /S/EPIQ Systems, Inc.

*CM - Indicates notice served via Certified Mail